HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO:19781 of 2007

Dated: 23-10-2007

Between:

Kabureddi Sathi Babu
And others

..... PETITI(

AND

The Government of Andhra Pradesh,
Rep by its Secretary, Social Welfare Department,
Hyderabad,
and another.

.....RESPONI

Counsel for the petitioners: Sri A.K.Kishore Reddy

Counsel for the respondents: A.G.P. for Land Acquisition

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.19781 of 2007

O R D E R:

This writ petition is filed for a writ of mandamus to declare the notification dated 14.8.2007 issued under Section 4(1) of the Land Acquisition Act 1894 (for short "the Act") as illegal and arbitrary.

Heard Sri A.K.Kishore Kumar Reddy, learned counsel for the petitioners and learned Assistant Government Pleader for Land Acquisition for respondents.

The only contention raised by the learned counsel for the petitioners is that the petitioners themselves are landless poor persons and their lands cannot be acquired for providing house sites to other landless poor persons. Learned counsel however, submitted that after the filing of the writ petition, petitioners filed their objections in response to the notice issued under Section 5A of the Act.

Learned Assistant Government Pleader stated that so far the respondents have not issued declaration under Section 6 of the Act.

Since, the objections filed by the petitioners do not appear to have been disposed of so far, I do not feel inclined to go into the merits of the case at this stage as in my opinion the writ petition filed before the consideration of the objections is premature. The writ petition is therefore disposed of with a direction to the respondents to consider the objections, if any, filed by the petitioners in response to the notice issued under Section 5A of the Act and dispose of the same after giving opportunity to the petitioners. It is needless to mention that if the petitioners are aggrieved by the adverse orders passed by the respondents, they are at liberty to avail the remedies open to them in law.

The writ petition is accordingly, disposed of.

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C.V.NAGARJUNA REDDY,J

Date:23.10.2007

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